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GI 5298A

DECLARATION and POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**GENETICALLY ENGINEERED CELLS WHICH EXPRESS BONE
MORPHOGENETIC PROTEINS**

the specification of which
(check one)

is attached hereto.

X

was filed on September 4, 1998 as
Application Serial No. 09/148,234
and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

| <u>Number</u> | <u>Country</u> | <u>Filing Date</u> | <u>Priority Claimed</u> |
|---------------|----------------|--------------------|-------------------------|
| _____ | _____ | _____ | YES/NO |
| _____ | _____ | _____ | YES/NO |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information

as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status |
|------------------------|--------------------------|-------------------------------------|
| <u>60/057,989</u> | <u>September 5, 1997</u> | <u>Converted to non-provisional</u> |
| | | <u>appl. (Sep. 4, 1998)</u> |

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Ellen J. Kapinos, Reg. No. 32,245; Steven R. Lazar, Reg. No. 32,618; Scott A. Brown, Reg. No. 32,724; Suzanne A. Sprunger, Ph.D. Reg. No. 41,323; Barbara A. Gyure, Reg. No. 34,614; all of **87 CambridgePark Drive, Cambridge, Massachusetts 02140**; and Thomas J. DesRosier, Reg. No. 30,168; Egon E. Berg, Reg. No. 21,117; Ronald W. Alice, Reg. No. 27,609; of **One Campus Drive, Parsippany, New Jersey 07054**; and Rebecca R. Barrett, Reg. No. 35,152; and Steven R. Eck, Reg. No. 36,126; Arnold S. Milowsky, Reg. No. 35,288; Michael R. Nagy, Reg. No. 33,432; Arthur G. Seifert, Reg. No. 28,040; George Tarnowski, Reg. No. 27,472, all of **P.O. Box 8299, Philadelphia, Pennsylvania, 19101**; Robert F. Boswell, Jr., Reg. No. 35,072, of **P.O. Box 26609, Richmond, Virginia 23261-6609**; and Daniel B. Moran, Reg. No. 41,204 of **401 N. Middletown Road, Pearl River, New York, 10965**.

Address all telephone calls to Steven R. Lazar at Telephone No. (617) 498-8260. **Address all correspondence to LEGAL AFFAIRS, GENETICS INSTITUTE, INC., 87 CambridgePark Drive, Cambridge, Massachusetts 02140.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Ioannis Moutsatsos

Inventor's signature  10/01/98
Date

Residence 36 Shelley Road, Arlington, Massachusetts 02476-7072

Citizenship Greek

Post Office Address 36 Shelley Road, Arlington, Massachusetts 02174 U.S.A.

Full name of second joint inventor Daniel Gazit

Inventor's signature DAN GAZIT


10.29.98
Date

Residence 46 Peretz Bernstein Street, Jerusalem 96920 Israel

Citizenship Israeli

Post Office Address 46 Peretz Bernstein Street, Jerusalem 96920 Israel

Full name of third joint inventor Yoram Zilberman

Inventor's signature  10.29.98.
Date

Residence 13/1 HaMachtarot Street, East Talpiot, Jerusalem 93781 Israel

Citizenship Israeli

Post Office Address 13/1 HaMachtarot Street, East Talpoit, Jerusalem 93781 Israel

Full name of fourth joint inventor Gadi Turgeman

Inventor's signature  10.29.98
Date

Residence 2/6 Machal Street, Jerusalem 97763 Israel

Citizenship Israeli

Post Office Address 2/6 Machal Street, Jerusalem 97763 Israel

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